



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Keyvan Sayyah, et al) RE: Preliminary Amendment
Serial No.: 10/690,486) Group: Not yet assigned
Filed: October 20, 2003) Examiner: Not yet assigned
For: "CONFORMAL RETRO-MODULATOR) Our Ref: B-4666NP 620573-9
OPTICAL DEVICES") Date: November 11, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is filed as a Preliminary Amendment for the above-identified application being filed herewith. Please amend the above-identified application as described below. **All amendments and remarks herein are made without prejudice.**

Amendments to the specification begin on page 2 of this paper.

Remarks/Arguments begin on page 3 of this paper.

Preliminary Amendment
November 11, 2003
Page 2

AMENDMENTS TO THE SPECIFICATION

Please replace the following heading and paragraph, starting at line 4 on page 1, and ending on line 8 on page 1:

CROSS REFERENCE TO RELATED APPLICATIONS

This application is related to and claims the benefits of U.S. Provisional Patent Application No. 60/420,177, filed October 21, 2002, the disclosure of which is hereby incorporated herein by this reference. The subject matter of the present application may also be related to the following U.S. Patent Application: "Optical Retro-Reflective Apparatus" serial No. 10/661,028, filed September 11, 2003.

REMARKS

The specification has been amended to identify an additional U.S. Patent application to which the subject matter of the present application may be related. This application is being brought to the attention of the Examiner, pursuant to MPEP § 2004, paragraph 9. However, the citation of this application should not be construed as an admission that the disclosures of this application is related to the patentability of the present application. The Applicant submits that no new matter is introduced by this preliminary amendment, and, therefore, the amendment may be properly entered.

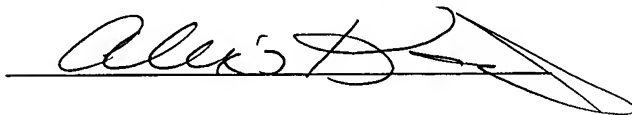
Respectfully submitted,



Ross A. Schmitt

Reg. No. 42,529
Attorney for Applicant
LADAS & PARRY
5670 Wilshire Boulevard #2100
Los Angeles, California 90036
(323) 934-2300

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", on November 11 2003 by Alexis Karriker.





Patent

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Keyvan Sayyah, et al.) RE: Information Disclosure
Statement
Serial No.: 10/690,486) Group: Not yet assigned
Examined:) Examiner: Not yet assigned
Filed: October 20, 2003)
Our Ref: B-4666NP 620573-9
For: "CONFORMAL RETRO-MODULATOR)
OPTICAL DEVICES") Date: November 11, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria VA, 22313-1450

Sir:

In accordance with the Applicants' duty to disclose information which may be material to the examination of this application, the undersigned respectfully requests that the Examiner consider on the merits the documents listed on the enclosed Form PTO-1449 (modified) before issuing the first Office Action on the merits. We are enclosing herewith a copy of each document listed on the enclosed Form PTO-1449 (modified).

It should be noted that the above-identified application is related by subject matter to the following U.S. Application(s): 10/661,028, filed September 11, 2003. In addition, the present application has claims that may be considered to be similar to the claims in the applications listed above. Pursuant to 37 C.F.R. 1.56(a) and M.P.E.P. 2004, paragraph 9, the applicant brings these co-pending applications to the attention of the Examiner. The Examiner should consider this information during the prosecution of the above-identified application. However, citation of these applications does not constitute an admission that the claims of the present application are substantially similar or similar to those of the applications listed above.

The filing of this Information Disclosure Statement (IDS) shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The Applicants believe that this IDS is being submitted before the issuance of

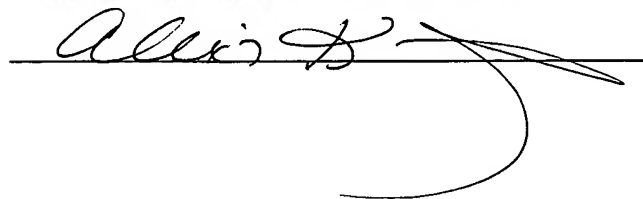
Information Disclosure Statement
USSN 10/690,486
November 11, 2003
Page 2

a first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance. Therefore, no official fees should be due; and this IDS should be considered on the merits. If this IDS is being submitted after the issuance of the first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance, please contact the undersigned to authorize a payment of \$180.00 (or any other required amount), which is the fee set forth in 37 C.F.R. § 1.97(c), if the Examiner believes that such a fee is due in order for this IDS to be considered on the merits.

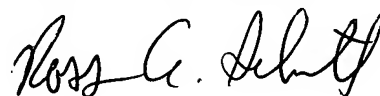
The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

The person making this statement is the practitioner who signs below on the basis of information supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)) and on the basis of information in the practitioner's file.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", on November 11, 2003 by Alexis Karriker.

A handwritten signature in dark ink, appearing to read "Alexis Karriker", is written over a horizontal line. The signature is stylized with a large, sweeping flourish that extends downwards and to the right.

Respectfully submitted,

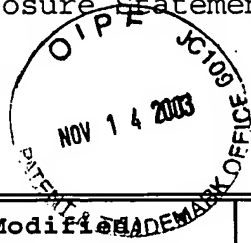
A handwritten signature in dark ink, appearing to read "Ross A. Schmitt", is written in a cursive style.

Ross A. Schmitt
Attorney for Applicant
Reg. No. 42,529

LADAS & PARRY
5670 Wilshire Boulevard
Suite 2100
Los Angeles, CA 90036
(323) 934-2300

Enclosures: Form PTO-1449 (modified) (1 page)
Copy of documents listed on Form PTO-1449 (modified)

Information Disclosure Statement
 USSN 10/690,486
 November 11, 2003
 Page 3



| | | |
|--|--------------------------------------|-------------------------------|
| Form PTO-1449 (Modified) | ATTY DOCKET NO. B-4666NP 620573-9 | U.S. SERIAL NO. 10/690,486 |
| LIST OF PATENTS AND PUBLICATIONS STATEMENT | APPLICANTS Keyvan Sayyah, et al. | |
| | FILING DATE October 20, 2003 | GROUP not yet assigned |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | DOCUMENT NUMBER | ISSUE DATE | NAME | CLASS | SUB- CLASS | FILING DATE or 102(e) DATE IF APPROPRIATE |
|---------------------|--------------------|------------|----------------------|-------|---------------|--|
| | 5,172,262 | 12/1992 | Hornbeck | 359 | 223 | |
| | 5,808,797 | 9/1998 | Bloom et al. | 359 | 572 | |
| | 6,154,299 | 11/2000 | Gilbreath et al. | 359 | 170 | |
| | 6,455,931 B1 | 9/2002 | Hamilton, Jr. et al. | 257 | 723 | |
| | 10/661,028 | | Pepper et al. | | | 9/11/2003 |

FOREIGN PATENT DOCUMENTS

| DOCUMENT NUMBER | PUBLICATION DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION YES/NO |
|-----------------|---------------------|---------|-------|----------|-----------------------|
| | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

| |
|--|
| Biermann, M.L., et al., "Design and Analysis of a Diffraction-Limited Cat's-Eye Retroreflector," Opt. Eng., Vol. 41, No. 7, pp. 1655-1660 (July 2002). |
|--|

| EXAMINER | DATE CONSIDERED |
|----------|-----------------|
| | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.